

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 23

August 8, 2001

SUBJECT: POLICY PROHIBITING RACIAL PROFILING

PURPOSE: One of the Department's most fundamental principles is our commitment to treat all people with dignity, fairness and respect. The importance of that principle is articulated very clearly in the Department's Management Principles, which tell us that, "The ability of the police to perform their duties is dependent upon public approval of police existence, actions, behavior, and the ability of the police to secure and maintain public respect" (Manual Section 1/115.10). Whenever our practices are or are **perceived to be** biased, unfair, or disrespectful, public trust and support are diminished significantly.

Over the past several years, there has been a growing national perception that law enforcement action is all too often based exclusively on racial stereotypes or "racial profiling." In Los Angeles, there is growing concern within our communities that some officers may engage in similar behavior. Whether those perceptions are accurate or not, we as an organization must recognize that these perceptions exist and we must be responsive to them. This Order, which is part of a continuing effort in that direction, establishes a policy prohibiting racial profiling.

POLICY: The Department shall continue to prohibit discriminatory conduct on the basis of race, color, ethnicity, national origin, gender, sexual orientation, or disability in the conduct of law-enforcement activities. Police-initiated stops or detentions, and activities following stops or detentions, shall be unbiased and based on legitimate, articulable facts, consistent with the standards of reasonable suspicion or probable cause as required by federal and state law.

Department personnel may not use race, color, ethnicity, or national origin (to any extent or degree) in conducting stops or detentions, or activities following stops or detentions, except when engaging in the investigation of appropriate suspect-specific activity to identify a particular person or group. Department personnel seeking one or more specific persons who have been identified or described in part by their race, color, ethnicity, or national origin, may rely in part on race, color, ethnicity, or national origin only in combination with other appropriate identifying factors and may not give race, color, ethnicity or national origin undue weight.

Failure to comply with this policy is a violation of an individual's constitutional rights. It is also counterproductive to professional law enforcement, amounts to racial profiling, and is considered to be an act of serious misconduct. Any employee who becomes aware of racial profiling or any other violation of this policy shall report it in accordance with established procedure. The Commanding Officer, Internal Affairs Group (IAG) shall ensure that all complaint allegations involving racial profiling are categorized under the ETHNIC BIAS category contained in the Department's Penalty Guide.

AMENDMENTS: This Order adds Section 1/345 to the Department Manual.

AUDIT RESPONSIBILITY. The Commanding Officer, IAG, shall monitor compliance with this directive in accordance with Manual Section 0/080.30.

BERNARD C. PARKS
Chief of Police

DISTRIBUTION "A"